

REGULAR

NUMBER: 120.43

TITLE: AN ORDINANCE OF THE CITY OF MILPITAS AMENDING SECTIONS 6.13, 6.14, 6.15 AND 6.16, CHAPTER 1, TITLE VIII OF THE MILPITAS MUNICIPAL CODE, RELATING TO QUANTITY CHARGES, BIMONTHLY WATER METER CHARGES, FIRE SERVICE CHARGES AND EFFECTIVE DATE OF WATER RATES.

HISTORY: This Ordinance was introduced (first reading) by the City Council at its meeting of May 3, 2005, upon motion by Councilmember Livengood and was adopted (second reading) by the City Council at its meeting of June 7, 2005, upon motion by Councilmember _____. Said Ordinance was duly passed and ordered published in accordance with law by the following vote:

AYES: ()

NOES: ()

ABSENT: ()

ABSTAIN: ()

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Jose Esteves, Mayor

APPROVED AS TO FORM:

Steven T. Mattas, City Attorney

ORDAINING CLAUSE:

THE CITY COUNCIL OF THE CITY OF MILPITAS DOES ORDAIN AS FOLLOWS:

Amendment to Section VIII-1-6.13. Title VIII, Chapter 1, Section 6.13 of the Milpitas Municipal Code is hereby amended to read as follows:

Quantity Charges:

The quantity charges per hundred cubic feet for metered water service shall be as follows:

Categories	Tiers	2005/2006 Rate	2006/2007 Rate
Residential customers (per dwelling unit)	1-20 hcf	\$1.40	\$1.49
	21+ hcf	\$2.93	\$3.13
Commercial, Industrial, Institutional, and Construction Meter		\$3.19	\$3.40
Recycled Industrial Process Use		\$1.60	\$1.70
Recycled Sanitary Use (Inside Dual Plumbing)		\$1.60	\$1.70
Potable Irrigation		\$3.65	\$3.89
Recycled (Formerly Served by Wells)		\$0.68	\$0.68
Recycled (Agricultural Service)		\$0.32	\$0.32
For City Accounts (Recycled)		\$0.55	\$0.61
Recycled (All other)		\$2.92	\$3.11
Santa Clara County (Ed Levin Park)		\$1.02	\$1.02
City of Milpitas accounts (potable)		\$1.10	\$1.12

No adjustments shall be granted to any water account holder due to variation in the days of service for any bimonthly billing period. Acceptable days of service range from 50 to 69 days per bimonthly billing period.

Amendment to Section VIII-1-6.14. Title VIII, Chapter 1, Section 6.14 of the Milpitas Municipal Code is hereby amended to read as follows:

VIII-1-6.14**Bimonthly Water Meter Charges:****Water Meter Charges:**

The bimonthly charges for water meters shall be made on the basis of the size of the water meter (excluding Recycled Irrigation Formerly Served by Wells and Agricultural Service customers), and shall be as follows:

a) For Residential Customers:

Water Meter Size, inches	2005/2006 Charges, \$	2006/2007 Charges, \$
5/8	\$17.68	\$18.86
3/4	\$18.79	\$20.05
1	\$26.69	\$28.48
1-1/2	\$33.66	\$35.92
2	\$43.93	\$46.87
3	\$117.61	\$125.49

4	\$149.03	\$159.02
6	\$227.43	\$242.67
8	\$297.98	\$317.94
10	\$431.33	\$460.23

- b) **For Non-Residential Customers (excluding Recycled Irrigation Formerly Served by Wells and Agricultural Service customers):**

<u>Water Meter Size, inches</u>	<u>2005/2006 Charges, \$</u>	<u>2006/2007 Charges, \$</u>
<u>5/8</u>	<u>\$18.65</u>	<u>\$19.90</u>
<u>3/4</u>	<u>\$19.83</u>	<u>\$21.16</u>
<u>1</u>	<u>\$28.22</u>	<u>\$30.11</u>
<u>1-1/2</u>	<u>\$35.58</u>	<u>\$37.96</u>
<u>2</u>	<u>\$46.39</u>	<u>\$49.50</u>
<u>3</u>	<u>\$124.20</u>	<u>\$132.52</u>
<u>4</u>	<u>\$157.36</u>	<u>\$167.90</u>
<u>6</u>	<u>\$240.19</u>	<u>\$256.28</u>
<u>8</u>	<u>\$314.70</u>	<u>\$335.78</u>
<u>10</u>	<u>\$455.53</u>	<u>\$486.05</u>

- c) **For Recycled Irrigation Formerly Served by Wells and Agricultural Service Customers:**

\$60.00 bimonthly

Amendment to Section VIII-1-6.15. Title VIII, Chapter 1, Section 6.15 of the Milpitas Municipal Code is hereby amended to read as follows:

VIII-1-6.15 Fire Service Charges:

The bimonthly charges for fire services provided by detector check valves shall be made on the basis of the size of the detector check valve, and shall be as follows:

- a) **For Residential Customers:**

<u>Detector Check Valve Size, inches</u>	<u>2005/2006 Charges, \$</u>	<u>2006/2007 Charges, \$</u>
2	\$28.27	\$30.16
3	\$42.46	\$45.30
4	\$47.18	\$50.34
6	\$61.36	\$65.47
8	\$75.48	\$80.54
10	\$89.64	\$95.65

- b) **For All Other Customers:**

<u>Detector Check Valve Size, inches</u>	<u>2005/2006 Charges, \$</u>	<u>2006/2007 Charges, \$</u>
2	\$29.90	\$31.90
3	\$44.85	\$47.85
4	\$49.83	\$53.17
6	\$64.81	\$69.15
8	\$79.70	\$85.04
10	\$94.63	\$100.97

Water service for fire services provided by detector check valves shall be used solely for the purpose of fire protection and testing of such fire protection systems. In the event that water service provided by detector check valves is used for purposes other than such purposes, a quantity charge of \$14.75 per hundred cubic feet shall be imposed for water use that exceeds one hundred cubic feet per billing period.

Amendment to Section VIII-1.6.16. Title VIII, Chapter 1, Section 6.16 of the Milpitas Municipal Code is hereby amended to read as follows:

VIII-1-6.16 Effective Date of Water Rates:

The 05/06 water quantity charges in Section 6.13, the water meter charges in Section 6.14, and the fire service charges in Section 6.15 as established by Ordinance No. 120.43 shall become effective for utility bills issued on or after August 1, 2005 for meters read on or after July 18, 2005. All bills mailed thereafter shall be based upon these charges. The 06/07 water quantity charges, water meter charges and fire service charges will become effective for utility bills issued on or after August 7, 2006 for meters read or after July 24, 2006. All bills mailed thereafter shall be based upon these charges.

REGULAR

NUMBER: 208.40

TITLE: AN ORDINANCE OF THE CITY OF MILPITAS AMENDING SECTIONS 6.01,
CHAPTER 2, TITLE VIII OF THE MILPITAS MUNICIPAL CODE, RELATING TO
SEWER SERVICE CHARGES

HISTORY: This Ordinance was introduced (first reading) by the City Council at its meeting of May 3, 2005,
upon motion by Councilmember Livengood and was adopted by the City Council at its meeting
of June 7, 2005, upon motion by Councilmember . Said Ordinance was duly
passed and ordered published in accordance with law by the following vote:

AYES: ()

NOES: ()

ABSENT: ()

ABSTAIN: ()

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Jose S. Esteves, Mayor

APPROVED AS TO FORM:

Steve Matlas, City Attorney

ORDAINING CLAUSE:

THE CITY COUNCIL OF THE CITY OF MILPITAS DOES ORDAIN AS FOLLOWS:

SECTION VIII-2-6.01 OF THE MILPITAS MUNICIPAL CODE IS HEREBY AMENDED TO READ AS FOLLOWS:

The following amounts shall be assessed upon each premise maintaining a sewer connection with the City's sewage system.

1. RESIDENTIAL - Bimonthly for each dwelling unit

Category	FY 2005/06	FY 2006/07
Single Family Per Dwelling Unit	\$54.77	\$59.70
Multi-Family Per Dwelling Unit	\$39.49	\$43.14
Mobile Home Parks Per Dwelling Unit	\$24.57	\$26.88

2. COMMERCIAL, INDUSTRIAL AND MISCELLANEOUS PREMISES

- a) Flat Rate: For non-residential accounts, there shall be a flat rate assessed every billing cycle during which normal billing takes place, regardless of the amount of sewage discharged, in the amount of \$9.24 for FY 05/06 and \$10.08 for FY 06/07 per bimonthly period to defray billing and sewer system administration costs.
- b) Quantity and Strength Charges: For each commercial, industrial, or miscellaneous premises, a charge for each one hundred cubic feet of water used per billing cycle shall be charged as follows:

Category	FY 2005/06	FY 2006/07
Motels, Hotels & Senior Citizen Housing Developments	\$2.22	\$2.39
General office, banks, government offices general merchandise, retail, and shopping centers; building, hardware, and gardening material facilities; amusement centers, and theaters	\$2.25	\$2.39
City of Milpitas	\$2.12	\$2.26
Service stations, repair shops, and car washes	\$2.24	\$2.41
Eating and drink establishments	\$3.50	\$3.93
Personal services – laundry, barber/beauty shops, cleaners	\$2.06	\$2.20
Jefferson Smurfit Corporation	\$0.57	\$0.62
T. Marzetti Co.	\$3.46	\$3.91
Prudential Overall Supply	\$2.61	\$2.81
Loral-Fairchild-Lockheed	\$1.80	\$1.89
US Filter	\$2.20	\$2.33
Sipex Corporation	\$1.99	\$2.08
Lucky Pure Water	\$1.09	\$1.17
Calistoga Mountain Spring Water	\$1.17	\$1.22
Milpitas Material	\$0.02	\$0.02
Union Pacific Railroad	\$2.84	\$3.08
Headway Technology Corporation	\$2.44	\$2.61
Electrical and electronics design, fabrication, assembly and storage facilities	\$2.21	\$2.35
Metal fabrication, machinery, and tool fabrication facilities	\$2.85	\$3.09
Linear Technology Corporation	\$1.86	\$1.97
Seagate Technology	\$1.89	2.00

Schools, colleges and churches	\$2.75	2.91
Convalescent hospitals, day care centers, and health service facilities	\$2.18	2.34
Elmwood Rehabilitation center	\$2.13	2.29

- c) City of San Jose for properties known as North McCarthy Properties \$459 bimonthly for any discharge up to 75,000 gallons per day (Maximum Flow). Excess flow charge of \$100 for each 1,000 gallons per day in excess of the Maximum Flow or part thereof.
3. Purpose of Charge: The purpose of these charges is to defray the cost of operation and maintenance of the City's facilities, the cost of sewage treatment, and the debt service for the revenue bonds to finance the City's proportionate share of capital improvements at the San Jose/Santa Clara Water Pollution Control Plant.

Effective Date: The sewer service charges in Section 6.01 as established by Ordinance 208.40 for FY 2005/06 shall become effective for utility bills issued on or after August 1, 2005, for meters read on or after July 18, 2005. All bills mailed thereafter shall be charged these charges. The sewer service charges for FY 2006/07 shall become effective for utility bills issued on or after August 7, 2006, for meters read on or after July 24, 2006. All bills mailed thereafter shall be charged these charges.